

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: ASBESTOS PRODUCTS  
LIABILITY LITIGATION (NO. VI)**

**MDL DOCKET NO.: 875**

**GILBERT ANDA**

**PLAINTIFF**

**v.**

**CIVIL ACTION NO.: 2:08CV86032-JG**

**OWENS-ILLINOIS, INC., ET AL.**

**DEFENDANTS**

**MOTION FOR RULE TO SHOW CAUSE**

COMES NOW the Defendant, Bowater, Inc., by and through its counsel of record, and pursuant to the Court's Administrative Order No. 12(a), files this its Motion for a rule to show cause why the above styled and numbered cause should be dismissed for failure to comply with Administrative Order No. 12 and in support of said Motion would show unto the Court the following, to-wit:

**I.**

Pursuant to the Court's Administrative Order No. 12(a) and the Memorandum dated December 18, 2008, along with accompanying Order of December 18, 2008, the Defendant, Bowater, Inc., moves the Court for a rule to show cause why the above styled and numbered case should be dismissed for failure to comply with Administrative Order No. 12. In support of said Motion, Bowater, Inc. shows as to the above styled case the following:

1. The Civil Action No. of the case in the District where it was originally filed:  
**1:02cv96-GR;**
2. The name of the Plaintiff in this case is **GILBERT ANDA;**
3. The specific Defendant or Defendants on whose behalf this Motion is being brought:  
**Bowater, Inc.;**

4. The claim or claims for which dismissal is sought: **any and all claims by the Plaintiff;**

5. The specific deficiency which fails to satisfy the requirements of Administrative Order No. 12, .e.g. failure to make any submission whatsoever; submission is inadequate: **failure to make any submission whatsoever;**

6. Certification: **see Certificate of Service made a part of this Motion.**

WHEREFORE, PREMISES CONSIDERED, Bowater, Inc. respectfully requests the Court dismiss the above styled and numbered cause for failure to comply with Administrative Order No. 12, and for such other and further relief as the Court deems appropriate.

Respectfully submitted this the 28th day of January, 2009.

BOWATER, INC.

BY: /s/ A. Kelly Sessoms  
A. KELLY SESSOMS

OF COUNSEL:  
**LYONS, PIPES & COOK, P.C.**  
2901 Magnolia Street  
Post Office Box 30  
Pascagoula, Mississippi  
T - (228) 549-4481  
F - (228) 549-1820  
AKS@LPCLaw.com

**LYONS, PIPES & COOK, P.C.**  
2 North Royal Street  
Post Office Box 2727  
Mobile, Alabama 36652  
T - (251) 432-4481  
F - (251) 433-1820

**CERTIFICATE OF SERVICE**

I, A. Kelly Sessoms, attorney of record for the Defendant, Bowater, Inc., do hereby certify that I have this day filed and served via the U.S. District Court's ECF System which forwarded a true and correct copy of the above and foregoing Entry of Appearance to:

Ms. Andrea Lipps  
Ms. Jane Byrne  
Cooney and Conway  
120 N. LaSalle Street, 30<sup>th</sup> Floor  
Chicago, Illinois 60602  
(Attorneys for Plaintiffs)  
cooneyandconway.com

THIS the 28th day of January, 2009.

*/s/ A. Kelly Sessoms*

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A. KELLY SESSOMS